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FEDERAL COMMUNICATIONS COMMISSION
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BEFORE THE

Federal Communications Commission

ORIGINAL
FILE

In the Matter of)
)
Advance Television Systems) MM Docket No. 87-268
and Their Impact Upon)
Television Broadcast Service)

To: The Commission

REPLY COMMENTS OF GOLDEN ORANGE BROADCASTING CO., INC.
TO SECOND FURTHER NOTICE OF PROPOSED RULEMAKING

Golden Orange Broadcasting Co., Inc. ("Golden Orange"), licensee of independent UHF Television Broadcast Station KDOC-TV, Anaheim, California, hereby submits its reply comments to the Commission's Second Further Notice of Proposed Rule Making (FCC 92-332), released August 14, 1992 (the "Second Further Notice"), in the above-captioned matter regarding implementation of Advanced Television ("ATV") service.^{1/} In support thereof, the following is set forth.

1. The Commission's Second Further Notice proposes to allot ATV channels on the basis of the following objectives:

- a) Full Accommodation. All existing NTSC stations and applicants who are eligible for ATV channels will receive an ATV channel allotment;

^{1/} Reply comments in this proceeding were due to be filed on or before December 2, 1992; accordingly, Golden Orange requests consideration of its late filed reply comments pursuant to Section 1.425 of the Commission's Rules.

No. of Copies rec'd 74
List A B C D E

- b) Site Specific Allocation. ATV allocations would be made on the premise that existing NTSC transmitter sites, to include an area within a 3 mile radius of such sites, would be used for ATV operations (the Commission would permit an ATV allotment to be used at any fully-spaced site from which the minimum required field strength signal could be placed over the entire principal community to be served);
- c) Maximize ATV Service Area to the Extent Possible. All ATV stations would have a minimum service area radius of at least 55 miles (85-90 km) from the station's transmitter site (allocation of ATV channels with existing NTSC channels to obtain ATV coverage comparable to or closely replicating existing NTSC coverage areas is not deemed practical);
- d) All UHF Channels. Generally, ATV channels would be allotted exclusively to the UHF band and, to the extent VHF ATV allocations are necessary, those allotments would be converted to UHF ATV allotments as NTSC UHF channels are vacated and become available; and
- e) ATV Allotment Preference. In situations where a choice must be made between providing greater service area for a new ATV allotment or minimizing

interference to an existing NTSC allotment, the ATV allotment would be given priority subject to the condition that, during the transition period from NTSC to ATV, a short-spaced ATV station would have to protect the existing NTSC station from interference.

2. Golden Orange's comments of October 27, 1992 generally supported the Commission's ATV objectives. With respect to site-specific allocation of ATV channels, however, while Golden Orange believes that co-location of ATV and NTSC facilities may serve to facilitate the introduction of ATV service, it does not regard co-location of the NTSC and ATV facilities to be the primary ATV allocation goal. If a non-co-located ATV transmitter site will provide superior coverage of the licensee's city of license while simultaneously reducing the potential for interference to other stations, then such non-located TV site would be preferable. Conversely, a site-specific ATV allotment would be preferable, even mandatory, in situations where non-collocation of the ATV facilities would result in substantial reductions in the signal level to the city of license or in a significant increase in the interference potential of the non-located ATV facility.

3. In other words, where the public interest would be better served by not co-locating the ATV and NTSC facilities, the Commission should encourage the selection of a non-located ATV transmitter site which is otherwise consistent with its rules and

only in situations where a non-collocated ATV transmitter site would result in substantially reduced service or greater interference potential should co-location of the ATV and NTSC facilities be required or preferred. Accordingly, to that extent, Golden Orange disagrees with the comments of Joint Broadcasters^{2/} that site-specific ATV transmitter locations are "essential... in preserving and improving existing broadcast service in the ATV environment, in maximizing ATV coverage and in minimizing interference..." Joint Broadcasters Comments, p. 5.

4. Golden Orange also disagrees with the contention of Joint Broadcasters that (a) specific ATV channels should be paired with existing NTSC channels with the goal of replicating existing NTSC service areas and (b) ATV channels should not be limited to the UHF band. The Commission's goal of providing each ATV station with a 55 mile minimum range is perhaps the only strategy which will prove workable, especially in larger metropolitan areas where frequency spectrum is congested. Where ATV channels must, in large part, be derived from the UHF spectrum. The retention of existing VHF coverage on a UHF channel can only be achieved with a significantly higher than average power level and antenna height which can only result in increased interference to co-channel and adjacent channel stations. Thus, while it may be in the private interest of a station to replicate its existing service area and

^{2/} 105 local broadcast companies, networks and broadcast trade associations.

- 5 -

maintain the status quo, the public interest would not be served if such replication is achieved by increasing interference potential and limiting service areas of co-channel and adjacent channel stations.

5. Golden Orange submits that the Commission's proposals to provide each ATV station a minimum coverage area and to restrict ATV service to the UHF band are essential, from an interference perspective, to the implementation of ATV. Joint Broadcasters plan for replication of existing service areas would only carry over to the ATV service the coverage advantage which VHF NTSC stations now enjoy over UHF NTSC stations. Under a public interest for ATV channel allocation, Golden Orange submits that there can be no winners or losers so long as all ATV channels have a fair and equal opportunity to compete and serve the public.

Respectfully submitted

GOLDEN ORANGE BROADCASTING

December 9, 1992

By Calvin C. Brack
Calvin C. Brack
Secretary-Treasurer and
Chief Executive Officer